

SENATE BILL No. 531

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Aging division and office of aging. Removes the bureau of aging from the division of disability, aging, and rehabilitative services and creates the office of aging, which reports directly to the governor, on January 1, 2006. Requires the governor to report to the legislative council regarding statutory changes needed to make this transfer. Requires the legislative services agency to prepare legislation for the 2006 regular session of the general assembly to change statutes affected by the transfer.

Effective: July 1, 2005.

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January 20, 2005, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 531

A BILL FOR AN ACT concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2005] (a) On January 1, 2006,
2 the following shall occur:

3 (1) The division of disability, aging, and rehabilitative services
4 established by IC 12-9-1-1 becomes the division of disability
5 and rehabilitative services.

6 (2) The bureau of aging and in-home services established by
7 IC 12-10-1-1 within the division of disability, aging, and
8 rehabilitative services becomes the bureau of in-home
9 services.

10 (3) The programs of the bureau of aging and in-home services
11 for services to the aging are transferred to the office of aging,
12 which is a separate agency reporting directly to the governor.

13 (4) The federal designation that the division is the state's
14 single state agency for the administration of the state's aging
15 programs continues with the office of aging.

16 (5) The property and records of the bureau of aging and
17 in-home services that relate to programs for the aging are
18 transferred to the office of aging.



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1 (6) Any appropriations made for the bureau of aging and
2 in-home services that relate to programs for the aging are
3 transferred to the office of aging.

4 (7) An individual who is an employee on December 31, 2005,
5 of the bureau of aging and in-home services who deals with
6 programs for the aging becomes an employee of the office of
7 aging on January 1, 2006. The employee is entitled to have the
8 employee's service before January 1, 2006, recognized for the
9 purpose of computing retention points under IC 4-15-2-32 if
10 a layoff occurs and for all other applicable employee benefits.

11 (8) Any rules adopted before January 1, 2006, by the bureau
12 of aging and in-home services that cover programs for the
13 aging are considered after December 31, 2005, rules of the
14 office of aging. The office of aging shall amend references in
15 rules to indicate that the office of aging and not the office of
16 the secretary of family and social services is the entity that
17 oversees the administration of programs under the office of
18 aging.

19 (9) Any contracts or liabilities associated with the bureau of
20 aging and in-home services relating to the aging are
21 transferred to the office of aging.

22 (10) A reference in a statute to the bureau of aging and
23 in-home services that relates to programs for the aging is
24 considered after December 31, 2005, a reference to the office
25 of aging.

26 (b) Not later than August 1, 2005, the governor shall report to
27 the legislative council any statutory changes necessary to
28 accomplish the transfer of powers, duties, and functions required
29 under this SECTION. The report must be submitted in an
30 electronic format under IC 5-14-6.

31 (c) The legislative services agency shall prepare legislation for
32 introduction in the 2006 regular session of the general assembly to
33 make appropriate changes in statutes that are required by this act.

34 (d) This SECTION expires December 31, 2008.

35 SECTION 2. [EFFECTIVE JULY 1, 2005] (a) As used in this
36 SECTION, "office" refers to the office of aging.

37 (b) The office shall apply to the United States Department of
38 Health and Human Services to amend any state plans and to make
39 any changes necessary as a result of the transfer of the bureau of
40 aging and in-home services to the office of aging.

41 (c) The office of aging shall apply for an amendment described
42 in subsection (b) in a timely manner that will allow the transfer of

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- 1 powers, duties, and functions described in SECTION 1 of this act
2 to occur on January 1, 2006.
3 (d) This SECTION expires December 31, 2008.

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